

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

KATIE BURROUGHS MEDEARIS (CABN 262539)
Assistant United States Attorney
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
Email: katie.medearis@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No.3-12-71212
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER CHANGING HEARING DATE
)	AND EXCLUDING TIME
GRACIELA QUINONEZ RIVERA,)	
)	
Defendant.)	
_____)	

The Court has set November 27, 2012, as the date for a preliminary hearing or arraignment. The parties hereby stipulate to set the preliminary hearing or arraignment date on November 30, 2012, and they request that the Court extend the time limits provided by Federal Rule of Criminal Procedure 5.1(c) and 18 U.S.C. § 3161. This extension of time is necessary for the parties to explore possible pre-indictment resolution and for effective preparation of counsel.

Pursuant to Rule 5.1(d), the defendant and the government consent to the extension of time, and the parties represent that good cause exists for this extension, including the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). For the same reasons, the parties also request that the Court exclude from the time limits of 18 U.S.C. § 3161 the period from the

1 date of this Order through November 30, 2012. The parties also agree that the ends of justice
 2 served by granting such an exclusion of time outweigh the best interests of the public and the
 3 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

4
 5 SO STIPULATED:

6 MELINDA HAAG
 United States Attorney

7
 8 DATED: November 16, 2012

9 /s/
 KATIE BURROUGHS MEDEARIS
 Assistant United States Attorney

10 DATED: November 19, 2012

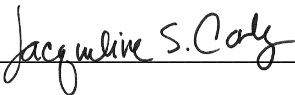
11 /s/
 RANDY SUE POLLOCK
 Attorney for GRACIELA QUINONEZ RIVERA

12 [PROPOSED] ORDER

13 For the reasons stated above, the Court sets November 30, 2012, as the date for the
 14 arraignment or preliminary hearing. The Court finds that extension of time limits applicable
 15 under Federal Rule of Criminal Procedure 5.1(c) from the date of this Order through November
 16 30, 2012, is warranted; that exclusion of this period from the time limits applicable under 18
 17 U.S.C. § 3161 is warranted; that the ends of justice served by the continuance outweigh the
 18 interests of the public and the defendant in the prompt disposition of this criminal case; and that
 19 the failure to grant the requested exclusion of time would deny counsel for the defendant and for
 20 the government the reasonable time necessary for effective preparation of counsel, taking into
 21 account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C.
 22 §3161(h)(7)(B)(iv).

23
 24 IT IS SO ORDERED.

25 DATED: November 20, 2012

26 
 27 HON. JACQUELINE SCOTT CORLEY
 United States Magistrate Judge